

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL P. MARTIN,

Plaintiff,

against

ATH HOLDINGS, INC.

Defendant

08 Civ. 8116 (CM)

NOTICE OF  
WITHDRAWAL

PLEASE TAKE NOTICE that pursuant to  
F.R.C.P. 41(a), pursuant plaintiff hereby  
withdraws this action without prejudice, no  
answer having yet been filed herein.

Dated: December 12, 2008  
New York, New York

USDS SDNY  
DOCUMENT  
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THE LAW OFFICE OF  
RONALD P. MROWIEC

by

1740 Broadway, 22d Floor  
New York, NY 10019  
(212) 541-2222